Exhibit 17

Part A

DORMITORY AUTHORITY - STATE OF NEW YORK 515 Broadway, Albany, New York 12207-2964

CHANGE ORDER

DEC - 9 2002

TO: Contractor: <u>Trataros Construction, Inc.</u>	Change Order No: GC2-182 (062)
Street: 664 64 th Street	JD Edwards Change Request No: 1019
City State Zip: Brooklyn, NY 11220	JD Edwards Contract No: 61506
Original Contract Date Original Contract Amount: \$24,140,000	JD Edwards Project No: 12777099999
Current Contract Amount: \$24,140,000	Total Approved Change Order:
Current Contract Amount.	Supplier 107895
Project Name and Location: Baruch College Site-"H	
Description of Work: Provide all labor, equivalentified trades and to repair cracks in the existing was recorded on a time and material ticket basis.	uipment and material necessary to repair damaged terrazzo base caused by g floor slab in the B-3 level prior to the installation of the terrazzo floor. This work
Full consideration for this change order shall be an INCRE	ASE of the original contract amount by:
<u>Dollars</u>	
Labor = $$16,321.00$ Material = $$4,399.00$ Total = $$20,720.00$	0686
Increase of the Contract completion date by <u>0</u> days. In accepting and assigns hereby release and forever discharge the Dormitory A	g and executing this change order the contractor, its heirs, executors administrators, successors, authority of the State of New York, its successors, and assigns from any and all actions, causes the contractor ever had, now has or may have against the Dormitory Authority of the State of
Recommended by:	Accepted by:
CONSTRUCTION MANAGER OR ARCHITEC	T CONTRACTOR
TDX Construction Corp.	Trataros Construction, Inc.
Name /	Name
K+ (1) // // // // // // // // // // // // //	/62 50 (/ () /22 /22
By: Date	By: // // // /// ///////////////////////
(Date	Date
INSTITUTION (WHERE REQUIRED)	Approved by: DORMITORY AUTHORITY
	12/04/02
Name	Chief Project Manager, OUNY Program
Date	Title
	nitory Authority Use Only:
ALT BAC BND CLA CLO COM CO Les Tratains proposal w additional cost of time &	DR DE DO EMR FLD INF INS OFS PRG. hech includes a Statement regarding.
* SEE TOX MEMO REGARDING C	Contractors STATEMENT
	APPROVEE
	34 JM 12/11/01
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Page Date

DORMITORY AUTHORITY OF NYS Print Change Request Summary

Job Number 1277709999 Change Number 1019 Change Number 1019 Change Supplier # 107895 Chiginator# 127020 Chiginator# 127020 Chiginator# 127020 Chiginator# 127020 Chiginated By FLD	BARUCH-Site B Facility -182 Trataros Construction Inc Markowitz, Wayne H.	Chg Group Prinity Code. Complete? Ref. Number. Owner Change Regd. Cost Code	
	CHANGE REQU	REQUEST DESCRIPTION	
Repair damaged terrazzo base o	terrazzo base caused by unidentified trades		
	slab in the B-3		
the inst	of the terrazzo floor.		
work was recorded on a time and	time and material ticket basis and		
70			
	CHANGE REQU	REQUEST LOG DETAIL	
L T Description	S T Explanation	Issue Expired Required E CD1 CD2	
A Change Notice	Y WMarkowitz	07/12/01 N	
C Dir/Chief Pre-Approve>\$50K	N Director/Chief Name Here	Z	
C Dir of PM Pre-Approval<\$150K	N Dir of PM Name Here	N	
C Managing Dir Pre-Approve>\$150K	K N Managing Director Name Here	Z	
C PM Reg Prop from Contractor	Y WMarkowitz	10/31/02 N	
C PM Receive Cost Proposal	Y WMarkowitz	10/31/02 N	
C PM Review Cost Proposal	Y WMarkowitz	10/31/02 N	
C Rec'd C.O. from Contractor	Y WMarkowitz	11/12/02 N	
C Director/Chief Approval	Y Jay Goldstein	12/04/02 N	
C Rec'd by Cost Control Unit	N Claims Analyst Name Here	Z	
C Budget Edit 1 or PM Notified	N Cost Control Name Here	Z	
C Cost Control Review Completed	N Cost Control Name Here	Z	
C Final Approval	N Dir of PM or Managing Dir	N	
C Budget Edit 2 Completed	N Project Mgt Admin Name Here	Z	
	CHANGE REQUEST DETAIL	JEST DETAIL	
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12/02/02

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C C CHANGE ORDER									Required E CD1 CD2	07/12/01 N	Z	Z	Z	10/31/02 N	10/31/02 N	10/31/02 N	11/12/02 N	z	z	×	M	z	z		
Chg Group Priority Cod Complete Ref Number Owner Change Cost Code	REQUEST DESCRIPTION							CHANGE REQUEST LOG DETAIL	Issue Expired	4	3		a).											CHANGE REQUEST DETAIL	
BARUCH-Site B Facility 182 Trataxes Construction Inc Markowitz, Mayne H. C.O.Field Conditions	CHANGE	caused by unidentified trades	ing floor slab in the B-3	n of the terrazzo floor. This	d material ticket basis and	ons in the amount of		CHANGE 1	S Explanation	Y WMarkowitz Ar Mah	N Director/Chief Name Here	N Dir of PM Name Here	N Managing Director Name Here	N WMarkowitz	N WMarkowitz	N WMarkowitz	N WMarkowitz	N Director/Chief Name Here	N Claims Analyst Name Here	N Cost Control Name Here	N Cost Control Name Here	N Dir of PM or Managing Dir	N Project Mgt Admin Name Here	CHANGE R	4 6 6
1277709999 1277709999 1019 10		Repair damaged terrazzo base co	and repair cracks in the existing	level prior to the installation	work was recorded on a time and	is the result of field conditions	\$20,720.		L T Description	A Change Notice	C Dir/Chief Pre-Approve>\$50K	C Dir of PM Pre-Approval<\$150K	C Managing Dir Pre-Approve>\$150K	C PM Req Prop from Contractor	C PM Receive Cost Proposal	C PM Review Cost Proposal	C Rec'd C.O. from Contractor	C Director/Chief Approval	C Rec'd by Cost Control Unit	C Budget Edit 1 or PM Notified	C Cost Control Review Completed	C Final Approval	C Budget Edit 2 Completed		



BARUCH COLLEGE - SITE B CHANGE ORDER CHECKLIST

CHANGE ORDER NO: GC2-182

IN OI	RDER OF APPEARANCE:
[X]	ORIGINAL SIGNED CHANGE ORDER:
[X]	CHANGE ORDER COST REVIEW CERTIFICATION:
[X]	CHANGE ORDER MEMORANDUM:
[X]	DETAILED MEMORANDUM OF JUSTIFICATION AND NEGOTIATION:
[X]	COPY OF TDX LETTER OF DIRECTIVE DATED: 7/12/01
[X]	COPY OF TDX CHANGE ORDER ESTIMATE:
[X]	COPY OF CONTRACTORS PROPOSAL DATED 10/31/02 IN THE AMOUNT TOTAL \$20,732.14.
[X]	REFERENCE DOCUMENTS: ATTACHED
[X]	WAGE RATES: APPROVED

DORMITORY AUTHORITY STATE OF NEW YORK CHANGE ORDER COST REVIEW CERTIFICATION

PROJECT: BARUCH COLLEGE - SITE "B"	ND#	1288	CR#
CONTRACTOR FILING CLAIM: Trataros Construction, Inc. CO	OST:	20,720.00	NAMES OF THE PROPERTY OF THE P
CHANGE ORDER NO: GC2-182 ORIGINAL CONTRACT	NO:	61506	·
DESCRIPTION OF CHANGE ORDER WORK:			
Provide all labor, equipment and material necessary to repair damaged terrazz trades and to repair cracks in the existing floor slab in the B-3 level prior to th floor. This work was recorded on a time and material ticket basis.	o base cau e installati	sed by uniden on of the terra	tified zzo
This is to certify that the following applicable reviews hat to the contractor's cost calculation for the above change order.	ave been	made relativ	e
YES NO X 1. Unit rates from construction applied (where applicab	lel		
X2. Wage rates correct / Man hours reasonable.			
X 3. Material prices verified and reasonable.			
X 4. Rental rates verified and reasonable.			
X5. Percentage mark-ups applied properly as per General	Conditio	ns.	
Based on the above reviews, the following recommendation is Dormitory Authority regarding the disposition of said Change Orde	hereby	made to the	
 X 1. Change Order should be approved. 2. Change Order should be deferred for approval subject to t modifications: 	he follo	wing	
This cost review completed by: James Grundvig			
Representing the: Architect: Construction Manager: X O	ther:		
Signature of reviewing person:			
Acknowledge by Dormitory Authority:			
Date: Disposition Approved: Defer	red:		
C.A. John Mull Dote 1	2/20	1/12	

MEMORANDUM

DATE:

November 1, 2002

TO:

Nick D'Ambrosio

FROM:

Ray Leu

JOB:

Baruch College - Site B

RE:

GC2-182, ND #1288

This memorandum is in reply to contractor's comment inserted at the bottom front of this page of change order.

We have considered the contractor's comment along with the included statement. Any time impact to the contract or any cost with an extension of time to the contract is not acknowledged and has not been determined at this time. Appropriate consideration will be made at a future date in accordance with contractual obligations for any time impact to the contract and cost associated with same.

CHANGE ORDER MEMORANDUM

DATE:

November 1, 2002

TO:

Nick D'Ambrosio

FROM:

Ray Leu

JOB:

Baruch College - Site B

.....

RE:

GC2-182, ND #1288

Attached you will find one original of the above referenced change order signed by the contractor and one copy of the required back up.

This change order in the amount of \$20,720.00 is for providing all labor, equipment and material necessary to repair damaged terrazzo base caused by unidentified trades and to repair cracks in the existing floor slab in the B-3 level prior to the installation of the terrazzo floor. This work was recorded on a time and material ticket basis.

During the course of construction, some of the terrazzo base was damaged by unidentified trades and needs to be repaired. The Contractor was directed to make these repairs and we could not identify the responsible parties for appropriate backcharge.

The Contractor noticed large cracks in the existing floor slab of the B-3 level that would be detrimental to their terrazzo flooring system. Before the underlayment was to be placed, the cracks had to be repaired. The Contractor chipped and routed out the cracks, which for the most part took place along the column lines, from north to south. These V-shaped joints were cut out and filled with epoxy grout. The Contractor also installed wire mesh along with the waterproofing membrane system to reinforce the underlayment where smaller cracks were noticed on the existing B-3 level floor slab. All of this repair work was not shown in the contract documents.

TDX has reviewed this change order and finds it to be fair and reasonable and recommends its approval. It is our recommendation that the cost should be appropriated as a Field X.

Baruch College - Site B

CHANGE ORDER MEMORANDUM OF JUSTIFICATION AND NEGOTIATION

CHANGE ORDER NO:

GC2-182

CONTRACTOR:

Trataros Construction, Inc.

DESCRIPTION OF CHANGE:

Provide all labor, equipment and material necessary to repair damaged terrazzo base caused by unidentified trades and to repair cracks in the existing floor slab in the B-3 level prior to the installation of the terrazzo floor. This work was recorded on a time and material ticket basis.

REASON FOR CHANGE:

During the course of construction, some of the terrazzo base was damaged by unidentified trades and need to be repaired. The Contractor was directed to make these repairs and we could not identify the responsible parties for appropriate backcharge.

The Contractor noticed large cracks in the existing floor slab of the B-3 level that would be detrimental to their terrazzo flooring system. Before the underlayment was to be placed, the cracks had to be repaired. The Contractor chipped and routed out the cracks, which for the most part took place along the column lines, from north to south. These V-shaped joints were cut out and filled with epoxy grout. The Contractor also installed wire mesh along with the waterproofing membrane system to reinforce the underlayment where smaller cracks were noticed on the existing B-3 level floor slab. All of this repair work was not shown in the contract documents.

RECORD OF NEGOTIATIONS:

The Contractor submitted a proposal dated 10/31/02 in the amount total \$20,732.14.

TDX estimated the cost to be \$20,720.00.

The Contractor accepted the estimate.

Case 1:07-cv-06915-DLC Document 311-19 Filed 09/12/2008 Page 12 of 22

TDX DIRECTIVE

Dated: 7/12/01

Change Order No.: GC2-182



Baruch College Field Office 137 East 25th Street, 6th Floor, New York, NY 10010

212 679 0031 212 679 0037 FAX www.tdxconstruction.com

July 12, 2001

Trataros Construction Inc. 55 Lexington Avenue New York, NY 10010

Attn: John Clarke

RE: Baruch College - Site "B"

Contract No. 16 - G. C. #2

ND #1288

Gentlemen:

You are hereby directed to repair the terrazzo base through out the building that was damaged by others.

Please proceed immediately and advise if there is any cost impact to your contract.

Very truly yours,

TDX Construction Corporation

A McCallang

John J. McCullough, P.E.

Project Manager

RL/kdl

Cc: N. D'Ambrosio

J. Barrera

T. Mockler

J. Jones, Jr.

ND #1288

Ltr Trataros ND#1288

Case 1:07-cv-06915-DLC Document 311-19 Filed 09/12/2008 Page 14 of 22

TDX CHANGE ORDER ESTIMATE

Change Order No.: GC2-182



DATE:

10/15/02

PROJECT: BARUCH COLLEGE SITE 'B'

SUBJECT: ND# 1288 -- GC2-182 (CROCETTI - T&M)

T&M TICKETS: TERRAZZO FLOORING

ITEM		(QTY		UNIT		U	N COST		TO	TAL (\$)
I. Material			1		ls		\$	3,464.00		\$	3,464.00
II. Labor				_							
Mechanic Foreman			68		hr		\$	67.37		\$	4,581.16
Mechanic			33		hr		\$	61.84		\$	2,040.72
Finisher Foreman			28		hr		\$	65.69		\$	1,839.32
Finisher			56		hr		\$	60.17		\$	3,369.52
TOTAL BASE (I &	II) =									s	15,294.72
OH&P	20%									\$	3,058.94
PREMIUM TIME:										\$	30,589.44
Mechanic Frm'n	7	\$	27.68							\$	193.76
Mechanic	7	\$	27.66							\$	193.62
Finisher Form'n	7	\$	26.91	\$	188.37	7	\$	48.19	\$ 337.33	\$	525.70
Finisher	7	\$	26.88							\$	188.16
TOTAL (PREMIU	M TIM	E) =							 	\$	1,101.24
TOTAL (SUBCON	TRACT	ΓOR) =	:						 	\$	19,454.90
GC MARKUP 10,5,3	3% =									\$	1,264.74
TOTAL =										\$	20,720

I. MATERIAL

ITEM	QTY	UNIT UN COST		T	OTAL (\$)	
Ероху	2	gal	\$	28.00	\$	56.00
Mesh	18	roll	\$	40.00	\$	720.00
Membrane	28	roll	\$	96.00	\$	2,688.00

TOTAL (I) = \$ 3,464.00

TICKET	DATE	ITEM	QTY	UNIT	AMOUNT	TOTAL
3134	11/20/01	Ероху	2	gal	1	2
17	n	Mesh	18	roll	1	18
**	"	Membrane	28	roll	1	28

II. LABOR

TICKET	DATE	M. FRMN	месн.	FIN. FRMN	FINISHER
3116*	12/1/01			7	
3117*	12/2/01			7	
3118	12/3/01	7		7	
3132	12/3/01	7	7		14
3119	12/4/01	7		7	
3133*	12/8/01	7	7		7
3131	12/11-12/01	12	12		
3134	12/12/01	7	7		14
3574	1/17/02	7			7
3575	1/18/02	7			7
3576	1/21/02	7			7

*Note: Premium Time Tickets not paid under ND #1643.

TOTAL (II) =	68	33	28	56

II. LABOR

FINISHER	FIN. FRMN	MECH.	M. FRMN	DATE	TICKET
	7			12/1/01	3116*
	7			12/2/01	3117*
7		7	7	12/8/01	3133*

TOTAL(PT) =	7	7	14	7
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Crocetti C E R A M 1 C M A R B L E

WORK ORDER

3116

3960 Merritt Ave. BRONX, NY 10466

Phone (718) 994-0900 Fax (718) 994-4505

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G.M.C. Representative

3960 Merritt Ave. **BRONX, NY 10466**

Phone (718) 994-0900 Fax (718) 994-4505

WORK ORDER
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WORK ORDER

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WORK ORDER

3960 Merritt Ave. **BRONX, NY 10466**

MARIE Phone (718) 994-0900 TERRAZZO Fax (718) 994-4505						*	
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Customer authorized representative (sign)	` (Prin	()	*S				



WORK ORDEŔ

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3960 Merritt Ave. BRONX, NY 10466

Phone (718) 994-0900 Fax (718) 994-4505

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Customer authorized repres	Entative (sign)		(Print)						

G.M.C. Representative



WORK ORDER

3133

3960 Merritt Ave. BRONX, NY 10466

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